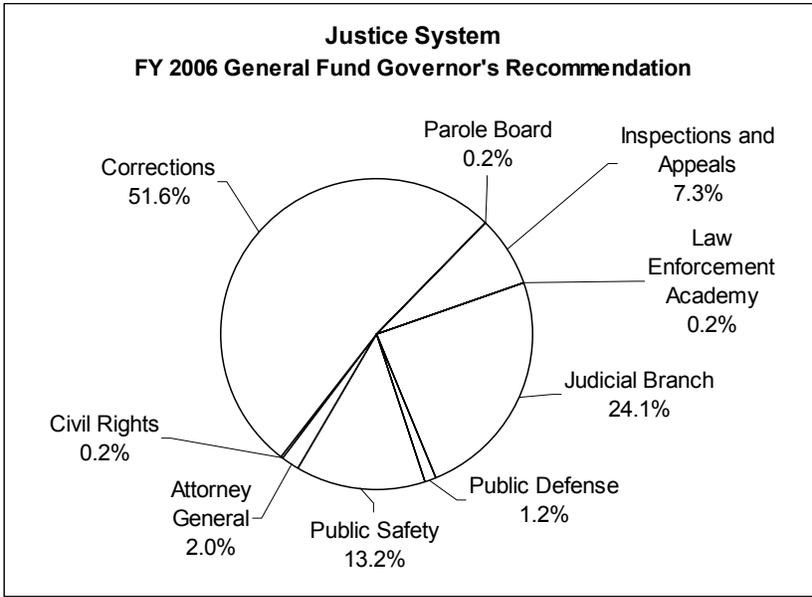


Justice System Appropriations Subcommittee

**JUSTICE SYSTEM APPROPRIATIONS
SUBCOMMITTEE**

MEMBERS		
Senate		House
Larry McKibben, Co-Chair	Lance Horbach, Chair	Rick Olson
Eugene Fraise, Co-Chair	David Tjepkes, Vice Chair	Ray Zirkelbach
David Miller	Todd Taylor, Ranking Member	Kurt Swaim
Keith Kreiman	Kraig Paulsen	Jim Van Fossen
Tom Hancock	O. Gene Maddox	
Stewart Iverson/Charles Larson		
Legislative Services Agency		
Jennifer Acton – Fiscal Services Division		
Beth Lenstra – Fiscal Services Division		
Joe McEniry – Legal Services Division		



**Justice System
FY 2006 General Fund Governor's Recommendation**

Attorney General	\$ 10,664,722
Civil Rights	\$ 950,788
Corrections	\$ 279,445,145
Parole Board	\$ 1,106,044
Inspections and Appeals	\$ 39,608,046
Law Enforcement Academy	\$ 1,075,138
Judicial Branch	\$ 130,714,285
Public Defense	\$ 6,302,270
Public Safety	\$ 71,621,327
	<u>\$ 541,487,765</u>

Justice System Appropriations Subcommittee

**JUSTICE SYSTEM APPROPRIATIONS SUBCOMMITTEE
FY 2006 Governor's Recommendations
General Fund**

	Estimated FY 2005	Gov. Rec. FY 2006	FY 2006 vs. FY 2005	Description of Changes
<u>Department of Justice</u>				
General Office A.G.	\$ 7,774,280	\$ 7,849,280	\$ 75,000	An increase to maintain current operations.
Consumer Advocate	2,810,442	2,810,442	0	
Victim Assistance Grants	5,000	5,000	0	
Total Department of Justice	\$ 10,589,722	\$ 10,664,722	\$ 75,000	

The Department of Justice was exempt from the purchasing results process because the Attorney General is an elected official.

Civil Rights Commission

Civil Rights Commission	\$ 858,088	\$ 950,788	\$ 92,700	An increase for two additional Civil Rights Specialists.
-------------------------	------------	------------	-----------	--

The Governor's recommendation for purchasing results to Transform Iowa's Economy is \$252,185,065 from all funding sources. This amount includes the Civil Rights Commission.

Department of Corrections

Corrections Institutions

Ft. Madison Inst.	\$ 38,170,426	\$ 38,923,261	\$ 752,835	An increase of \$338,000 and 8.0 FTE positions to maintain positions when staff return from active military duty. An increase of \$165,000 for daily operations, including food and utilities.
Anamosa Inst.	27,015,049	27,257,452	242,403	An increase of \$127,000 and 3.0 FTE positions to maintain positions when staff return from active military duty. An increase of \$249,000 for 3.5 FTE positions to address mental health needs of inmates.
Oakdale Inst.	23,624,725	25,730,278	2,105,553	An increase of \$116,000 for daily operations, including food, utilities, and pharmacy. An increase of \$85,000 and 2.0 FTE positions to maintain positions when staff return from active military duty. An increase of \$159,000 for daily operations, including food and utilities.
				An increase of \$200,000 to maintain 4.0 FTE positions that are currently filled.
				An increase of \$1.7 million and 24.5 FTE positions to create a specialized 24-bed mental health unit.
Newton Inst.	24,631,729	25,073,632	441,903	An increase of \$127,000 and 3.0 FTE positions to maintain positions when staff return from active military duty. An increase of \$315,000 for daily operations, including food, utilities, and pharmacy.

Justice System Appropriations Subcommittee

**JUSTICE SYSTEM APPROPRIATIONS SUBCOMMITTEE
FY 2006 Governor's Recommendations
General Fund**

	<u>Estimated FY 2005</u>	<u>Gov. Rec. FY 2006</u>	<u>FY 2006 vs. FY 2005</u>	<u>Description of Changes</u>
Mt Pleasant Inst.	22,560,276	23,003,340	443,064	An increase of \$254,000 and 6.0 FTE positions to maintain positions when staff return from active military duty. An increase of \$117,000 for daily operations, including food, utilities, and pharmacy. An increase of \$72,000 and 1.0 FTE position to address mental health needs of inmates.
Rockwell City Inst.	7,797,776	8,096,378	298,602	An increase of \$85,000 and 2.0 FTE positions to maintain positions when staff return from active military duty. An increase of \$114,000 for daily operations, including food, utilities, and pharmacy. An increase of \$100,000 to maintain 2.0 FTE positions that are currently filled.
Clarinda Inst.	22,590,992	22,904,497	313,505	An increase of \$212,000 and 5.0 FTE positions to maintain positions when staff return from active military duty. An increase of \$102,000 for daily operations, including food, utilities, and pharmacy.
Mitchellville Inst.	13,248,001	14,002,603	754,602	An increase of \$85,000 and 2.0 FTE positions to maintain positions when staff return from active military duty. An increase of \$270,000 for daily operations, including food, utilities, and pharmacy. An increase of \$400,000 to maintain 7.5 FTE positions that are currently filled.
Ft. Dodge Inst.	25,984,774	26,315,943	331,169	An increase of \$189,000 and 4.0 FTE positions to maintain positions when staff return from active military duty. An increase of \$143,000 for daily operations, including food, utilities, and pharmacy.
Total Corrections Institutions	<u>205,623,748</u>	<u>211,307,384</u>	<u>5,683,636</u>	

Justice System Appropriations Subcommittee

JUSTICE SYSTEM APPROPRIATIONS SUBCOMMITTEE
FY 2006 Governor's Recommendations
General Fund

	Estimated FY 2005	Gov. Rec. FY 2006	FY 2006 vs. FY 2005	Description of Changes
Corrections Central Office				
County Confinement	674,954	674,954	0	
Federal Prisoners/Contractual	241,293	241,293	0	
Central Office Corrections	2,829,708	2,829,708	0	
Corrections Education	1,008,358	1,008,358	0	
Iowa Corr. Offender Network	427,700	427,700	0	
Total Corrections Central Office	5,182,013	5,182,013	0	
CBC Districts				
CBC District I	10,113,032	10,406,624	293,592	An increase for six new Parole/Probation Officers.
CBC District II	7,772,849	8,017,509	244,660	An increase for five new Parole/Probation Officers.
CBC District III	4,640,744	4,836,472	195,728	An increase for four new Parole/Probation Officers.
CBC District IV	4,256,613	4,305,545	48,932	An increase for one new Parole/Probation Officer.
CBC District V	13,009,486	13,547,738	538,252	An increase for 11 new Parole/Probation Officers.
CBC District VI	10,087,064	10,331,724	244,660	An increase for five new Parole/Probation Officers.
CBC District VII	5,689,384	5,787,248	97,864	An increase for two new Parole/Probation Officers.
CBC District VIII	5,586,576	5,722,888	136,312	An increase for two new Parole/Probation Officers and fund current overtime costs.
Total CBC Districts	61,155,748	62,955,748	1,800,000	
Total Department of Corrections	\$ 271,961,509	\$ 279,445,145	\$ 7,483,636	

The Governor's recommendation for purchasing results to Improve Community Safety, Particularly Vulnerable Iowans, is an increase of \$7.5 million for the Department of Corrections to protect people and change lives.

Department of Inspections and Appeals

Public Defender	\$ 16,860,849	\$ 18,444,964	\$ 1,584,115	An increase to fund currently authorized positions.
Indigent Defense Appropriation	19,355,297	21,163,082	1,807,785	An increase to fund projected claims.
Total Dept. of Inspections & Appeals	\$ 36,216,146	\$ 39,608,046	\$ 3,391,900	

The Governor's recommendation for purchasing results to Improve Community Safety, Particularly Vulnerable Iowans, is an increase of \$3.4 million for the State Public Defender's Office to provide access to the Courts for indigent defendants.

Justice System Appropriations Subcommittee

**JUSTICE SYSTEM APPROPRIATIONS SUBCOMMITTEE
FY 2006 Governor's Recommendations
General Fund**

	<u>Estimated FY 2005</u>	<u>Gov. Rec. FY 2006</u>	<u>FY 2006 vs. FY 2005</u>	<u>Description of Changes</u>
<u>Judicial Branch</u>				
Judicial Branch	\$ 118,084,282	\$ 125,734,868	\$ 7,650,586	<p>An increase of \$2.8 million to lift the eight unpaid leave and court closure days in FY 2005, and restore travel and education funds.</p> <p>An increase of \$1.1 million to fund all currently authorized positions.</p> <p>An increase of \$336,000 to fund ongoing operating costs of the new Judicial Building.</p> <p>An increase of \$1.0 million to fund ongoing operating costs of the Iowa Court Information System from the General Fund rather than the Enhanced Court Collections Fund.</p> <p>An increase of \$2.1 million to add 41.0 new FTE positions across the State.</p> <p>An increase of \$32,000 for the Department of Administrative Services (DAS) distribution. The Judicial Branch will now be billed for accounting, fleet and mail, and human resource assistance.</p> <p>An increase of \$25,000 to fund membership in the Consortium for State Court Interpreter Certification.</p> <p>An increase of \$360,000 for furnishings and equipment for the Dickinson County Courthouse and other courthouses, increased costs of reimbursement to the Department of Administrative Services, and membership in the Consortium for State Court Interpreter Certification.</p>
Judicial Retirement	2,039,664	4,979,417	2,939,753	An increase to fund the employer's share at 23.7% of covered salaries, pursuant to current law.
Total Judicial Branch	<u>\$ 120,123,946</u>	<u>\$ 130,714,285</u>	<u>\$ 10,590,339</u>	

Pursuant to Chapter 602, Code of Iowa, the Governor must pass unchanged the Supreme Court recommendation on the Judicial Branch budget, to the Legislature.

Justice System Appropriations Subcommittee

**JUSTICE SYSTEM APPROPRIATIONS SUBCOMMITTEE
FY 2006 Governor's Recommendations
General Fund**

	Estimated FY 2005	Gov. Rec. FY 2006	FY 2006 vs. FY 2005	Description of Changes
<u>Law Enforcement Academy</u>				
Operations	\$ 1,075,138	\$ 1,075,138	\$ 0	
<u>Board of Parole</u>				
Parole Board	\$ 1,072,560	\$ 1,106,044	\$ 33,484	An increase for a part-time Administrative Law Judge and a part-time clerk.
The Governor's recommendation for purchasing results to Improve Community Safety, Particularly Vulnerable lowans , is an increase of \$33,484 for the Board of Parole to protect people and change lives.				
<u>Department of Public Defense</u>				
Military Division	\$ 5,130,040	\$ 5,130,040	\$ 0	
Homeland Security & Emer. Mgmt Div	1,172,230	1,172,230	0	
Total Department of Public Defense	\$ 6,302,270	\$ 6,302,270	\$ 0	
<u>Department of Public Safety</u>				
Public Safety Administration	\$ 3,073,274	\$ 3,520,033	\$ 446,759	Increase for the Department of Administrative Services (DAS) billings for FY 2006.
Investigation, DCI	14,058,510	15,539,052	1,480,542	An increase of \$287,000 and 3.0 FTE positions for special agents to cover the potential addition of table games at the three racetrack sites in Iowa. An increase of \$250,000 for laboratory supplies for the Crime Lab. An increase of \$944,000 and 4.0 FTE positions for lab equipment replacement and crime scene staff.
Narcotics Enforcement	3,930,089	4,701,141	771,052	State funding for nine months (October through June) to continue the Fusion System during a gap in federal funding streams from the Office of Domestic Preparedness.
Undercover Funds	123,343	123,343	0	
Fire Marshal	2,181,998	2,181,998	0	
Fire Service	638,021	638,021	0	
Iowa State Patrol	42,517,133	43,901,973	1,384,840	An increase of \$400,000 for approximately 20 new cars for the Iowa State Patrol. An increase of \$910,000 for 10.0 new trooper positions. An increase of \$75,000 for racial profiling training for public safety peace officers.

Justice System Appropriations Subcommittee

**JUSTICE SYSTEM APPROPRIATIONS SUBCOMMITTEE
FY 2006 Governor's Recommendations
General Fund**

	Estimated FY 2005	Gov. Rec. FY 2006	FY 2006 vs. FY 2005	Description of Changes
<u>Department of Public Safety (cont'd)</u>				
DPS/SPOC Sick Leave Payout	316,179	316,179	0	
Fire Fighter Training	559,587	699,587	140,000	An increase in volunteer firefighter training funds to help defray costs for new training standards.
Total Department of Public Safety	<u>\$ 67,398,134</u>	<u>\$ 71,621,327</u>	<u>\$ 4,223,193</u>	
 The Governor's recommendation for purchasing results to Improve Community Safety, Particularly Vulnerable lowans , is an increase of \$4.2 million for the Department of Public Safety. This includes an increase for critical information, stable communities, and balanced and fair regulation.				
Total Justice System	<u><u>\$ 515,597,513</u></u>	<u><u>\$ 541,487,765</u></u>	<u><u>\$ 25,890,252</u></u>	

Justice System Appropriations Subcommittee

Issues

The Justice System Appropriations Subcommittee may wish to examine the following issues:

Department of Justice

- ▶ **Victim Compensation Fund** – Based on actuarial studies in other states, at least \$4.6 million should be held in reserve so the Fund remains actuarially sound. This amount provides a six-month reserve for victim claims and operations in case of a catastrophic event, such as the Oklahoma City bombing. The FY 2004 ending balance was approximately \$3.7 million, which is less than the recommended level.

The Department is maintaining a three-month reserve in FY 2005, so that funds may be transferred to Victim Assistance Grants. The Victim Assistance Grants Program awards funds to service providers for victims of rape, sexual assault, and domestic abuse. Two domestic violence shelters closed in FY 2003 due to financial problems. The Subcommittee may want to review alternatives for either increasing receipts or decreasing expenditures for the Victim Compensation Fund.

- ▶ **Victim Assistance Grants** – The Victim Assistance Grants Program awards funds to agencies that provide services to victims of rape, sexual assault, and domestic abuse. Federal funds received for Victim Assistance Grants have been steadily declining over the last three fiscal years, from \$7.1 million in FY 2003 to \$6.3 million in FY 2005. Receipts have declined from all three federal sources: Victims of Crime Act (VOCA), Violence Against Women Act (VAWA), and the Family Violence Prevention and Services Act. The FY 2005 General Fund allocation (\$35,000) provides the required match for administrative costs of the Violence Against Women Act (\$30,000) and grants to service providers (\$5,000). The General Fund appropriation for Victim Assistance Grants peaked in FY 2001 at \$1.9 million. The Department transferred \$2.3 million from the Victim Compensation Fund to Victim Assistance Grants in FY 2005, pursuant to Section 915.94, Code of Iowa. It is unlikely the Victim Compensation Fund will be able to support the FY 2005 funding level for Victim Assistance Grants in future fiscal years. The Subcommittee may want to review funding options.

- ▶ **Legal Services Poverty Grants** – Chapter 13, Code of Iowa, requires the Attorney General's Office to contract with a nonprofit corporation to provide legal counsel to indigent people in civil matters. The Attorney General's Office contracted with Iowa Legal Aid for the services. The Program was first funded in FY 1997 with a \$950,000 General Fund appropriation. The General Fund appropriation was eliminated in FY 2004; Iowa Legal Aid received \$593,000 from the Civil Reparation Trust Fund. Iowa Legal Aid received \$200,000 from the Civil Reparations Trust Fund in FY 2005, plus \$393,000 from the Attorney General's Office. The Office is requesting \$593,000 from the General Fund in FY 2006 for the Program. The Subcommittee may want to review funding sources for the program. ***The Governor is recommending \$593,000 from Antitrust Enforcement funds (non-General Fund) for Legal Services Poverty Grants.***

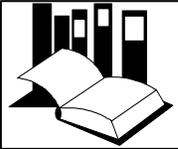


Civil Rights Commission

- ▶ **Operations** – The Civil Rights Commission laid off 2.0 FTE positions in January 2005, is currently holding an additional 3.0 FTE positions vacant, and has implemented a furlough plan. The backlog of cases pending investigation is approximately 11 months. The Subcommittee may want to review staff alternatives, such as volunteers or interns. ***The Governor is recommending an increase of \$93,000 for an additional 2.0 FTE positions. In the Purchasing Results process, this recommendation is included in the Transform the Economy Results Area.***

Justice System Appropriations Subcommittee

Department of Corrections

- **Prison Population Growth** – The Iowa prison population is currently 8,500 inmates, which is 121.6% of current design capacity. The Criminal and Juvenile Justice Planning Division of the Department of Human Rights projects the population to reach 10,582 inmates by FY 2014, if current sentencing policies and laws remain in place. If the inmate population reaches 10,582, three new 800-bed prisons will need to be built at a cost of \$50.0 million for each prison. Each prison will incur annual operating costs of approximately \$28.0 million, if they operate at full capacity. Please review the *Issue Review* entitled “[Overview of the State Corrections System](#)” for more information. The Subcommittee may want to examine alternatives to building new prisons. ***The Governor is recommending an increase of \$5.5 million to fund staff and operating costs in the Institutions and Community-Based Corrections District Departments. In the Purchasing Results process, this recommendation is included in the Improve Community Safety, Particularly Vulnerable Iowans Results Area.***
- 
- **Mental Health** – Currently, approximately 20.0% of offenders in prison have a mental health condition. The Department of Corrections (DOC) is working with the University of Iowa College of Medicine and the Iowa Consortium of Mental Health Board to improve services to a growing number of mentally ill inmates. The Department is constructing a 170-bed Special Needs Unit at the Iowa Medical Classification Center at Oakdale to comply with a federal court order relating to mentally ill inmates. The facility is expected to open in FY 2007. The Subcommittee may want to review this issue with the Department, including the projected operating budget for the facility, the use of this facility in conjunction with the Clinical Care Unit at Fort Madison, and the projected needs of mentally ill inmates. Please review the *Issue Review* entitled “[Medical Costs of the State Prison System](#)” for more information. ***The Governor is recommending an increase of \$2.0 million to operate a 24-bed mental health unit at the Iowa Classification Center at Oakdale, and for additional mental health staff at Fort Madison and Mount Pleasant. In the Purchasing Results process, this recommendation is included in the Improve Community Safety, Particularly Vulnerable Iowans Results Area.***
- **Inmate Employment** – The DOC uses a variety of methods to meet Iowa’s Hard Labor Law (Section 904.701, [Code of Iowa](#)). Inmates are employed in the Institutions, e.g., working in the kitchen or laundry. They are also employed on the prison farms, by private sector businesses, and in traditional Iowa Prison Industries jobs. Several Institutions provide community work crews, where the inmates work on projects that benefit local governments and nonprofit organizations. Inmates are also used by State agencies, such as the Department of Natural Resources and the Department of Transportation. House File 2367 (Corrections Omnibus Act), enacted during the 2004 Legislative Session, permits the Department to charge agencies a fee for the use of inmate labor. The waivable fee ranges from \$3.00 to \$5.00 per day per inmate, depending upon services provided by the receiving agency, such as transportation and meals. The stipend is used to offset the costs of inmate labor, such as transportation and inmate personal safety equipment. The Subcommittee may wish to learn more about the type and amount of work performed by inmates and funding generated by the new agency fee.
- **Prison Education** – The General Fund appropriation for inmate education peaked in FY 2001 at \$3.3 million. The FY 2005 General Fund appropriation is \$1.0 million, which is a decrease of \$2.3 million (69.4%) compared to FY 2001. Since FY 2001, the DOC is relying on other funding sources, such as carryover funding from the previous year’s appropriation, Institution Canteen receipts, and the Telephone Rebate Fund, to provide adult basic education, high school equivalent, and vocational courses through the community college system. Literacy is a significant problem that limits employment for the inmate population, and the Department has focused educational resources on literacy for the past several years. Research suggests inmate education increases employability of released inmates and
- 

Justice System Appropriations Subcommittee

reduces recidivism. Vocational education is provided primarily in conjunction with Prison Industries. The Subcommittee may want to examine the effectiveness of funding streams for prison education.

Judicial Branch

- ▶ **Judicial Retirement** – The Judicial Retirement Fund contribution rate is set at 23.7% in Section 602.9104(4)(b), Code of Iowa. According to the most recent actuarial report, the Judicial Retirement Fund is 79.0% funded. The judge's contribution rate is set in the Code and was increased from 4.0% to 5.0% as of July 1, 2000. There are currently 193 active members participating in the Judicial Retirement Fund. There are nine inactive vested members, 103 retirees and Senior Judges, and 38 surviving spouses. Senate File 2298 (FY 2005 Omnibus Appropriations Act) notwithstanding the Code of Iowa to decrease the employer contribution rate to the Judicial Retirement Fund from 23.7% to 9.7%. The FY 2005 General Fund appropriation to the Judicial Retirement Fund was \$2.0 million. For FY 2005, covered payroll is currently estimated at \$21.0 million. If the Judicial Retirement Fund was funded at the statutory requirement of 23.7%, the appropriation would be \$5.0 million.

Department of Public Safety

- ▶ **Iowa State Patrol Vehicle Depreciation** – The State Vehicle Dispatcher recommends that vehicles in the Department of Public Safety be replaced when they have reached 92,000 miles. Currently, vehicles are being replaced at 130,000 miles. High mileage vehicles result in down time for repairs and may create unsafe situations. The scheduled replacement of Iowa State Patrol vehicles is 125 vehicles per year or 30.0% of the fleet. The balance in the Department of Public Safety's accumulated depreciation account is \$1.9 million, of which \$1.5 million is for the Iowa State Patrol. For FY 2005, Public Safety is planning on ordering approximately 95 cars, which is 30 fewer cars than what is needed to maintain the current fleet numbers. ***The Governor is recommending an increase of \$400,000 for the Iowa State Patrol for vehicle replacement. The Governor is also recommending an increase of \$910,000 for 10.0 new trooper positions and vehicles. In the Purchasing Results process, this recommendation is included in the Improve Community Safety, Particularly Vulnerable Iowans Results Area.***
- ▶ **Division of Narcotics Enforcement** – ***The Governor is recommending an increase of \$771,000 for the development of a statistical database to track crimes that pose a threat to homeland security. In the Purchasing Results process, these recommendations are included in the Improve Community Safety, Particularly Vulnerable Iowans Results Area.***
- ▶ **Division of Criminal Investigation Appropriation Increase** – The Division of Criminal Investigation (DCI) is requesting an increase of \$537,000 and 3.0 FTE positions compared to estimated FY 2005.
 - ◆ The DCI is requesting \$250,000 for supplies (chemicals, gloves, cotton swabs, and other expendables) necessary to the operation of the crime lab in Ankeny. The new lab is scheduled to open in December 2004. These expendables were previously covered by a federal grant that expires in December 2004. In FY 2005, Public Safety received an increase in funding of \$250,000 for crime lab replacement funding in SF 2298 (FY 2005 Omnibus Appropriations Act). This money would be used to pay for crime lab expendables once the CLIP grant ends in December. ***The Governor is recommending an increase of \$250,000 for the crime lab. The Governor is also recommending an increase of \$944,000 and 4.0 FTE positions for crime lab equipment replacement and crime scene staff. In the Purchasing Results process, these recommendations are included in the Improve Community Safety, Particularly Vulnerable Iowans Results Area.***
 - ◆ The DCI is also requesting \$287,000 and 3.0 FTE positions for special agents at all three racetracks (Prairie Meadows, Dubuque, and Council Bluffs), assuming table games are added.

Justice System Appropriations Subcommittee

This amount would cover the additional FTE positions as well as the training, equipment, supplies, and the additional background and criminal investigations that accompany allowing table games at the tracks. Currently, only Prairie Meadows has applied for a license to include table games. The other two tracks have until June 1, 2005, to receive an expanded gaming license. After that date, the provisional period for expanded gaming expires. **The Governor is recommending an increase of \$287,000 and 3.0 FTE positions for regulation of additional table games. In the Purchasing Results process, this recommendation is included in the Improve Community Safety, Particularly Vulnerable Iowans Results Area.**

- ▶ **Fire Fighter Training Increase** – *The Governor is recommending an increase of \$140,000 to help defray costs for the implementation of enhanced statewide training standards for fire fighters. In the Purchasing Results process, this recommendation is included in the Improve Community Safety, Particularly Vulnerable Iowans Results Area.*

Iowa Law Enforcement Academy

- ▶ **Law Enforcement Academy Class Sizes and Appropriations:** At the end of FY 2004, the Iowa Law Enforcement Academy (ILEA) needed an appropriation transfer of \$150,000 to close the books. Class enrollments in FY 2004 were down compared to previous years. The average class size for an Academy is 42 students and six Basic Academy's are offered a year. In FY 2004, there were five Basic classes offered and the average number of students was 32. Fiscal Year 2004 had a decrease of \$269,315 in revenue due to a decrease in the number of students and a lower tuition rate per student compared to FY 2003. The ILEA is currently surveying local governments to determine the reasons for the reductions in staff training. Results of that survey should be available in January 2005.

For FY 2005, notwithstanding language (Section 80B.11B(2), Code of Iowa) in SF 2298 (FY 2005 Omnibus Appropriations Act) allowed the ILEA to charge more than 50.0% of the cost of tuition to help offset a potential revenue shortfall. The General Fund appropriation to the ILEA for FY 2005 was \$1,066,890, which was a decrease of \$2,696 compared to FY 2004. Tuition for FY 2005 will be 65.0% of cost or \$2,650 per person. This is an increase of \$565 per person compared to the tuition rate for FY 2004. The Subcommittee may wish to discuss the estimated FY 2006 tuition rates with ILEA during the Subcommittee process.

Public Defender and Indigent Defense Program

- ▶ **Caseloads** – The Office of the State Public Defender expended \$39.0 million in total funds during FY 2004, an increase of \$2.7 million (7.3%) compared to FY 2003. Costs for this constitutionally mandated program have been steadily increasing due to the increase in cases and claims. Since FY 1994, the average annual increase in spending has been 8.6%. From FY 1994 to FY 2004, the number of attorney claims for reimbursement from the Indigent Defense Fund has increased 160.8%, while the number of cases handled by the Office of the State Public Defender increased 88.3%. The Subcommittee may want to examine the adequacy of staffing and funding. **The Governor is recommending an increase of \$3.4 million for the State Public Defender's Office and Indigent Defense. In the Purchasing Results process, these recommendations are included in the Improve Community Safety, Particularly Vulnerable Iowans Results Area.**

Justice System Appropriations Subcommittee

Issue Reviews

The LSA completed four ***Issue Reviews*** during the 2004 legislative interim dealing with:

- [Methamphetamine Laboratories](#)
- [Enhanced 911 System](#)
- [Medical Costs of the State Prison System](#)
- [Overview of the State Corrections System](#)

Copies of the ***Issue Reviews*** are available on the LSA web site:
<http://staffweb.legis.state.ia.us/lfb/ireview/ireview.htm>.

Topic Presentations

The LSA maintains and updates ***Topic Presentations*** that are available on the LSA web site. Presentations relating to the Justice System Subcommittee include:

- [Justice System Appropriations Subcommittee](#)
- [Community-Based Corrections](#)
- [Crime Victim Assistance Division of the Department of Justice](#)
- [Iowa Law Enforcement Academy](#)
- [Iowa Prison System](#)
- [Legal Representation of Indigent Defendants](#)
- [Homeland Security and the Emergency Management Division](#)
- [Iowa Court System](#)
- [Methamphetamine Use in Iowa](#)

Copies of the ***Topic Presentations*** are available on the LSA web site:
<http://staffweb.legis.state.ia.us/lfb/pptpres/pptpres.htm>

Staff Contacts: Jennifer Acton (281-7846) jennifer.acton@legis.state.ia.us
Beth Lenstra (281-6301) beth.lenstra@legis.state.ia.us